

IFW

Docket No: 243414US6YA

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No: 10/682,196
Applicants: Dorel Ioan TOMA et al.
Filing Date: October 10, 2003
For: METHOD AND SYSTEM FOR TREATING A
DIELECTRIC FILM
Group Art Unit: 2813
Examiner: HUYNH, YENNHU B.

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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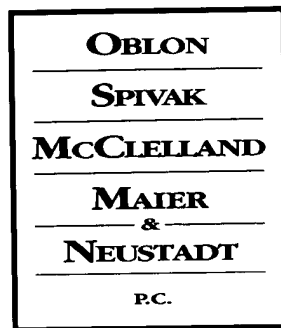
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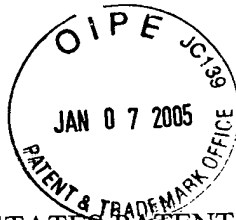


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DOCKET NO: 243414US6 YA



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

DOREL IOAN TOMA ET AL.

: EXAMINER: HUYNH, YENNHU B.

SERIAL NO: 10/682,196 :

FILED: OCTOBER 10, 2003

: GROUP ART UNIT: 2813

FOR: METHOD AND SYSTEM FOR TREATING A DIELECTRIC FILM

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

SIR:

In response to the Restriction Requirement dated December 14, 2004, Applicants provisionally elect with traverse Group I, Claims 1-29 and 32-47, directed to a method of treating a dielectric film. Applicants traverse the Restriction Requirement for the following reason.

MPEP § 803 states:

MPEP § 803

. . . If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.


However, the outstanding Restriction Requirement has not established that an undue burden would exist if the Restriction Requirement was not issued and all the claims were examined together. Moreover, the claims of the present invention would appear to be part of an overlapping search area. Accordingly, Applicants respectfully traverse the outstanding Restriction requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Application Serial Number: 10/682,196
In Response to the Office Action of December 14, 2004

Accordingly, it is respectfully requested that an examination on the merits of Claims
1-48 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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